

IN THE COMMON PLEAS COURT  
MAHONING COUNTY, OHIO

## Order of Protection

Per ORC 3113.31(F)(2), this order is indexed at

**MAHONING COUNTY SHERIFF'S OFFICE**

LAW ENFORCEMENT AGENCY WHERE INDEXED

(330) 480-5030

PHONE NUMBER

Case No. \_\_\_\_\_

Judge **BETH A. SMITH**

County

**MAHONING**

State

**OHIO**

### CONSENT AGREEMENT AND DOMESTIC VIOLENCE CIVIL PROTECTION ORDER (R.C. 3113.31)

☐ WITH SUPPORT ORDER

#### PETITIONER:

First

Middle

Last

v.

#### RESPONDENT:

First

Middle

Last

Relationship to Petitioner: \_\_\_\_\_

Address where Respondent can be found: \_\_\_\_\_

#### PERSON(S) PROTECTED BY THIS ORDER:

Petitioner: \_\_\_\_\_ DOB: \_\_\_\_\_

Petitioner's Family or Household Member(s): \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

\_\_\_\_\_ DOB: \_\_\_\_\_

#### RESPONDENT IDENTIFIERS

SEX	RACE	HT	WT
EYES	HAIR	DATE OF BIRTH	
DRIVERS LIC NO. & EXP. DATE		STATE	

Distinguishing Features \_\_\_\_\_

☐ FIREARMS ACCESS – PROCEED WITH CAUTION

(Violence Against Women Act, 18 U.S.C. 2265, Federal Full Faith & Credit Declaration: Registration of this form is not required for enforcement.)

#### THE COURT HEREBY FINDS:

That it has jurisdiction over the parties and subject matter, and the Respondent will be provided with reasonable notice and opportunity to be heard within the time required by Ohio law. **Additional findings of this order are set forth below.**

#### THE COURT HEREBY ORDERS:

That the above named Respondent be restrained from committing further acts of abuse or threats of abuse.

That the above named Respondent be restrained from any contact with Petitioner and other protected persons named in this order, as set forth below.

Additional terms of this order are set forth below.

The terms of this order shall be effective until \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

DATE CERTAIN – MAXIMUM FIVE YEARS

**WARNINGS TO RESPONDENT: See the warnings page attached to the front of this Order.**

This proceeding came on for a hearing on \_\_\_\_\_, \_\_\_\_\_ before the Court or the undersigned Magistrate pursuant to Civil Rule 53 and the *Ex Parte* Order filed \_\_\_\_\_, \_\_\_\_\_. The following individuals were present: \_\_\_\_\_.

The parties agree to waive their notice and hearing rights and their rights under Civil Rule 53, including the right to request findings of fact and conclusions of law and to file objections to the Magistrate's Decision in this matter.

**ALL OF THE PROVISIONS CHECKED BELOW APPLY TO THE RESPONDENT**

- ☐ 1. **RESPONDENT SHALL NOT ABUSE** the protected persons named in this Order by harming, attempting to harm, threatening, molesting, following, stalking, bothering, harassing, annoying, contacting, or forcing sexual relations on them. [NCIC 01 and 02]
- ☐ 2. **RESPONDENT SHALL IMMEDIATELY VACATE** the following residence \_\_\_\_\_
- ☐ 3. **EXCLUSIVE POSSESSION OF THE RESIDENCE** located at: \_\_\_\_\_  
is granted to: \_\_\_\_\_. Respondent shall not interfere with this individual's right to occupy the residence including, but not limited to canceling utilities or insurance, interrupting phone service, mail delivery, or the delivery of any other documents or items. [NCIC 03]
- ☐ 4. **RESPONDENT SHALL SURRENDER** all keys and garage door openers to the above residence at the earliest possible opportunity within 24 hours of service of this Order to the law enforcement officer who serves Respondent with this Order or as follows: \_\_\_\_\_
- ☐ 5. **RESPONDENT SHALL NOT ENTER** the residence, school, business, place of employment, or day care centers of the protected persons named in this order, including the buildings, grounds and parking lots at those locations.
- ☐ 6. **RESPONDENT SHALL STAY AWAY FROM PETITIONER** and all other protected persons named in this order, and shall not be present within 500 yards or \_\_\_\_\_ (distance) of protected persons, wherever protected persons may be found, or any place the Respondent knows or should know the protected persons are likely to be, **even with Petitioner's permission**. If Respondent accidentally comes in contact with protected persons in any public or private place, Respondent must depart *immediately*. This order includes, encounters on public and private roads, highways, and thoroughfares. [NCIC 04]
- ☐ 7. **RESPONDENT SHALL NOT INITIATE ANY CONTACT** with the protected persons named in this Order or their residences, businesses, places of employment, schools, day care centers, and babysitters. Contact includes, but is not limited to, telephone, fax, e-mail, voice mail, delivery service, writing, or communications by any other means in person or through another person. [NCIC 05]
- ☐ 8. **RESPONDENT SHALL IMMEDIATELY SURRENDER POSSESSION OF ALL KEYS TO THE FOLLOWING MOTOR VEHICLE:** \_\_\_\_\_ **to:** \_\_\_\_\_, who is granted exclusive use of this motor vehicle.
- ☐ 9. **RESPONDENT SHALL NOT REMOVE, DAMAGE, HIDE, OR DISPOSE OF ANY PROPERTY OR PETS** owned or possessed by the protected persons named in this Order. Protected persons personal property shall be apportioned as follows: \_\_\_\_\_
- ☐ 10. **RESPONDENT SHALL NOT CAUSE OR ENCOURAGE ANY PERSON** to do any act prohibited by this order.
- ☐ 11. **RESPONDENT SHALL NOT POSSESS, USE, CARRY, OR OBTAIN ANY DEADLY WEAPON.** Respondent shall turn over all deadly weapons in Respondent's possession to the law enforcement officer who serves Respondent with this Order or as follows: \_\_\_\_\_

Any law enforcement agency is authorized to take possession of deadly weapons pursuant to this paragraph and hold them in protective custody until further Court order. [NCIC 07]

☐ **12. PARENTAL RIGHTS AND RESPONSIBILITIES ARE TEMPORARILY ALLOCATED AS FOLLOWS:**

\_\_\_\_\_  
This order applies to the following child(ren): \_\_\_\_\_  
\_\_\_\_\_

☐ **13. VISITATION ORDERS DO NOT PERMIT RESPONDENT TO VIOLATE THE TERMS OF THIS ORDER.**

☐ (A) Respondent's visitation rights are suspended; or

☐ (B) As a limited exception to paragraph 6, temporary visitation rights are established as follows:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
This order applies to the following child(ren): \_\_\_\_\_  
\_\_\_\_\_

☐ **14. LAW ENFORCEMENT OFFICERS**, including \_\_\_\_\_, are ordered to assist Petitioner in gaining physical custody of the child(ren) if necessary.

☐ **15. RESPONDENT SHALL SUPPORT** the protected persons named in this Order by following the attached Support Order, which is incorporated herein by reference.

☐ **16. RESPONDENT MAY PICK UP CLOTHING** and personal items from the above residence only upon reasonable notice to protected persons named in this order and in the company of a uniformed law enforcement officer within 7 days of the filing of this Order. Arrangements may be made by contacting: \_\_\_\_\_

☐ **17. RESPONDENT SHALL NOT CONSUME, USE, OR POSSESS** illegal drugs or beverages containing alcohol.

☐ **18. IT IS FURTHER ORDERED** that: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ **19. RESPONDENT SHALL COMPLETE THE FOLLOWING COUNSELING PROGRAM:** \_\_\_\_\_

Respondent shall contact this program \_\_\_\_\_ days after receiving this Order and immediately arrange for an initial appointment. The counseling program is requested to provide the Court a written notice if Respondent fails to attend the initial appointment and a written report when Respondent completes the program. Any program reports shall be accepted into evidence by the Court at the next scheduled hearing as the direct examination of the author of each report, subject to cross-examination by the parties. The party wishing to conduct such cross-examination must subpoena the appropriate individuals for the hearing.

☐ Respondent is ordered to appear before Judge/Magistrate \_\_\_\_\_, on \_\_\_\_\_, at \_\_\_\_\_ m., to review Respondent's compliance with this counseling order. Respondent is warned: If you fail to attend the counseling program you may be held in contempt of court. If you fail to appear at this hearing, the court may issue a warrant for your arrest.

**20. IT IS FURTHER ORDERED** that Respondent shall pay the remaining court costs in this action.

**21. IT IS FURTHER ORDERED** that the Clerk of Court shall cause a copy of the Petition and this Order to be delivered to the Respondent as required by law. The Clerk of Court shall also provide certified copies of the Petition and this Order to Petitioner upon request. This Order is granted without bond. Pursuant to 42 USC 3796, the Clerk shall not charge the victim any fees for filing, issuing, registering, or serving this protection order.

**22. ALL OF THE TERMS OF THIS ORDER REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF FIVE FROM ISSUANCE, OR UNTIL \_\_\_\_\_**, \_\_\_\_\_ unless earlier modified or dismissed by by order of this Court. Except for paragraphs 12, 13, 14, and 15 above, this order survives a divorce, dissolution of marriage, or legal separation. Until this order is delivered to Respondent, the terms of the *Ex Parte* CPO remain in effect.

**IT IS SO ORDERED.**

**ADOPTED AND MADE AN INTERIM ORDER  
PURSUANT TO CIVIL RULE 53(E)(4)(c):**

\_\_\_\_\_  
**MAGISTRATE**

\_\_\_\_\_  
**JUDGE**

**NOTICE TO RESPONDENT:** THE PERSONS PROTECTED BY THIS ORDER CANNOT GIVE YOU LEGAL PERMISSION TO CHANGE OR VIOLATE THIS ORDER. IF YOU CONTACT OR GO NEAR THE PROTECTED PERSONS, EVEN WITH THEIR PERMISSION, YOU MAY BE ARRESTED. ONLY THE COURT CAN CHANGE THIS ORDER. IF THERE IS ANY REASON WHY THIS ORDER SHOULD BE CHANGED, YOU MUST ASK THE COURT TO CHANGE IT. **YOU ACT AT YOUR OWN RISK IF YOU DISREGARD THIS WARNING.**

*I have read this Consent Agreement and Civil Protection Order and agree to its terms.*

*I have read this Consent Agreement and Civil Protection Order and agree to its terms.*

\_\_\_\_\_  
**SIGNATURE OF PETITIONER**

\_\_\_\_\_  
**SIGNATURE OF RESPONDENT**

\_\_\_\_\_  
Address of Petitioner

\_\_\_\_\_  
Address of Respondent

\_\_\_\_\_  
Signature of Attorney for Petitioner

\_\_\_\_\_  
Signature of Attorney for Respondent

\_\_\_\_\_  
Address of Attorney for Petitioner

\_\_\_\_\_  
Address of Attorney for Respondent

**NOTICE OF FINAL APPEALABLE ORDER**

Copies of the foregoing Order, which is a final appealable order, were mailed by ordinary U.S. mail or hand delivered to the parties indicated on the

\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

By: \_\_\_\_\_  
CLERK OF COURT

**A time-stamped copy of this Order shall be mailed or handed to:**

- ☐ Petitioner                      ☐ Attorney for Petitioner  
☐ Respondent                      ☐ Attorney for Respondent  
☐ Counseling Program: \_\_\_\_\_  
☐ The **Mahoning** County Sheriff  
☐ Police Department Where Petitioner Resides: \_\_\_\_\_  
☐ Police Department Where Petitioner works: \_\_\_\_\_  
☐ CSEA                      ☐ Other: \_\_\_\_\_

☐ **Instructions for Service:** Pursuant to Rule 10 of the Rules of Superintendence, the Court has completed Form 10-A. The Clerk of Courts is instructed to file a time-stamped copy of Form 10-A with the Mahoning County Sheriff's Office.